

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Environment, Forests, Science & Technology Department – Establishment of Special Economic Zone (SEZ) in Andhra Pradesh – Policy frame work on Environment and Forests and APPCB – Amendment - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Env) DEPARTMENT

G.O.Ms.No. 14

Dated:27-2-2009.
Read the following:-

- 1) G.O.Ms.No.72, Environment, Forests, Science & Technology (Env) Department, dt:15-07-2002.
- 2) From the Member Secretary, Andhra Pradesh Pollution Control Board, Hyderabad, Lr.No.43/PCB/CFE/VSEZ/2008/2108, dated:31-10-2008.

O R D E R:-

In the G.O. 1st read above, Government have issued orders formulating certain guidelines for making inspections pertaining to pollution control and issue of consents by the Andhra Pradesh Pollution Control Board in the Special Economic Zones.

2. In the reference 2nd read above, the Member Secretary, Andhra Pradesh Pollution Control Board, Hyderabad, has informed that the authorities of Visakhapatnam Special Economic Zone (VSEZ), Duvvada, Visakhapatnam District, and other Special Economic Zones in Visakhapatnam district are insisting Andhra Pradesh Pollution Control Board officials for obtaining prior approval for inspection of any unit established in Special Economic Zones, quoting the provisions of G.O. 1st read above. He has also informed that as per the provisions laid under Clause:6 of above G.O., physical inspections would be undertaken in accordance with the schedule in consultation with the Development Commissioner of Special Economic Zones. In case, the Andhra Pradesh Pollution Control Board Officials inspect any industry in the same premises other than those industries for which permission was obtained from the officials of Special Economic Zone, the Visakhapatnam Special Economic Zone (VSEZ) Officials are objecting for the same stating that the permission was given to inspect in respect of certain specified industries only. Due to this, Andhra Pradesh Pollution Control Board Officials are unable to do surprise inspections of such industries which were established in the premises of Visakhapatnam Special Economic Zone (VSEZ) to evaluate the performance of industry from pollution angle in an effective manner. It gives scope for a polluting industry to hide the legal evidences of pollution. In the above circumstances, the Member Secretary, Andhra Pradesh Pollution Control Board, Hyderabad, has requested the Government to issue necessary amendment to the G.O.1st read above, so as to enable the Andhra Pradesh Pollution Control Board officials to perform their duties unconditionally to control pollution generated by the industries located in the Special Economic Zones in the State.

3. The Andhra Pradesh Pollution Control Board, has been constituted to implement the provisions laid under Water (P&C of Pollution) Act, 1974 and Air (P&C of Pollution) Act,1981 and their amendments thereof. All these Acts were enacted by the Parliament and thus they are Central Acts. The officials of Andhra Pradesh Pollution Control Board are functioning under the provisions of these Central Acts. Section 23 of the Water (P&C of Pollution) Act, 1974 and Section 24 of Air (P&C of Pollution) Act,1981 state that any person empowered by the State Board shall have a right to inspect any industrial establishment at any time for carrying out the functions entrusted to them.

P.T.O.

4. As per the provisions under Section 20, 22 of Special Economic Zone (SEZ) Act, 2005, the officials authorised by the Central Government need not take prior permission of the Development Commissioner, Special Economic Zone, for inspection of the units located within the Special Economic Zone. Hence, the officials of the Andhra Pradesh Pollution Control Board are not required to obtain prior permission for inspection of the units since they are enforcing the provisions under the Central Acts i.e. Water (P&C of Pollution) Act, 1974 and the Air (P&C of Pollution) Act, 1981.

5. After careful examination of the proposal of the Member Secretary, Andhra Pradesh Pollution Control Board, Hyderabad, and the provisions laid under the Special Economic Zones Act, 2005 and Rules there under, Government hereby issued the amendment to the G.O. 1st read above, as follows:

6. In Sl.No.6 of the para (3) of the G.O., the following is substituted:

“As per the provisions laid under Section 20, 21, and 22 of Special Economic Zones (SEZ) Act, 2005, the officials authorised by the Central Government (i.e. officials of the Andhra Pradesh Pollution Control Board) are empowered to carry out the investigation, inspection, search or seizure in the Special Economic Zones or Units without prior intimation or approval of the Development Commissioners concerned.”

7. The other guidelines issued in G.O. 1st read above holds good.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

JANAKI R.KONDAPI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Member Secretary, Andhra Pradesh Pollution Control Board, Hyderabad.

The Vice-Chairman & Managing Director, A.P.I.I.C., Hyderabad.

The Principal Secretary, Industries & Commerce Department, Hyderabad.

The Principal Secretary, Municipal Administration & Urban Development Department, Hyderabad.

The Commissioner of Industries, Hyderabad.

The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad.

SC/SF

//FORWARDED: BY ORDER//

SECTION OFFICER